

**TERMINAL DISCLAIMER TO OBIATE A PROVISIONAL DOUBLE PATENTING
REJECTION OVER A PENDING "REFERENCE" APPLICATION**Docket Number (Optional)
BPD-103US

In re Application of: Peter Schwind et al.

Application No.: 10/563,681

Filed: June 21, 2006

For: DEVICE AND METHOD FOR SIMULTANEOUSLY CARRYING OUT BLOOD GROUP DETERMINATION SERUM CROSS-CHECK AND ANTIBODY DETECTION TEST

The owner*, MEDION DIAGNOSTICS AG, of 100 percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application which would extend beyond the expiration date of the full statutory term of any patent granted on pending **reference** Application Number 10/563,659, filed on February 20, 2007, as such term is defined in 35 U.S.C. 154 and 173, and as the term of any patent granted on said **reference** application may be shortened by any terminal disclaimer filed prior to the grant of any patent on the pending **reference** application. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and any patent granted on the **reference** application are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

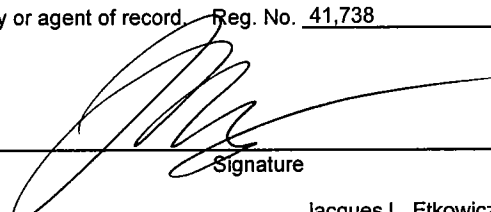
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2. ☒ The undersigned is an attorney or agent of record. Reg. No. 41,738



Signature

Jacques L. Etkowicz
Typed or printed name

March 4, 2010

Date

610-407-0700

Telephone Number

- ☒ Terminal disclaimer fee under 37 CFR 1.20(d) is included.

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